

**BRAFMAN & ASSOCIATES, P.C.**

ATTORNEYS AT LAW

767 THIRD AVENUE, 26TH FLOOR

NEW YORK, NEW YORK 10017

TELEPHONE: (212) 750-7800

FACSIMILE: (212) 750-3906

E-MAIL: BBRAFMAN@BRAFLAW.COM

BENJAMIN BRAFMAN

ANDREA ZELLAN

JOSHUA D. KIRSHNER

JACOB KAPLAN

TENY R. GERAGOS  
ADMITTED IN NY AND CA

MARK M. BAKER  
OF COUNSEL

MARC AGNIFILO  
OF COUNSEL  
ADMITTED IN NY AND NJ

February 12, 2018

**BY ECF**

Honorable Kiyo A. Matsumoto  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: **United States v. Martin Shkreli, Crim. No. 15-637 (KAM)**

Dear Judge Matsumoto:

Pursuant to this Court's February 9, 2018 Order, on behalf of Mr. Shkreli we respectfully advise the Court that he still wishes to have brief oral argument on his pending FRCP Rule 29 motion for acquittal and that we will be prepared for the oral argument to proceed at 9:30am on February 23, 2018.

We thank the Court for its courtesy and consideration in this and all other matters.

Respectfully,



Benjamin Brafman, Esq.

cc: AUSA Jacquelyn Kasulis (via ECF)  
AUSA Alixandra Smith (via ECF)  
AUSA Karthik Srinivasan (via ECF)  
AUSA Claire Kedeshian (via ECF)